

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

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|--|---|-------------------------|
| ALLAN G. HOLMS, INC. d/b/a HOLMES & |) | |
| ASSOCIATES, INC., ALLAN G. HOLMS, |) | |
| MAXIM MINING, LLC, and MAXIM |) | |
| MINING, INC., |) | CV-06-26-BLG-RFC |
| |) | |
| Plaintiffs, |) | |
| vs. |) | |
| |) | ORDER |
| DENNIS MRAZ, DM TECHNOLOGIES, |) | |
| LTD., FRED BEANE, JACK BATES, GRAY |) | |
| HAWK ENERGY, INC. and VULCAN |) | |
| CAPITAL MANAGEMENT, |) | |
| |) | |
| Defendants. |) | |
| |) | |

On June 26, 2006, United States Magistrate Judge Richard W. Anderson entered his Findings and Recommendation. Magistrate Judge Anderson recommends that Defendants' Motion to Dismiss be granted for lack of personal jurisdiction.

Upon service of a magistrate judge's findings and recommendation, a party has 10 days to file written objections. 28 U.S.C. § 636(b)(1). In this matter, Plaintiffs filed objections to the

Findings and Recommendations on July 28, 2006 and Defendants filed a response to the objections on August 14, 2006. Plaintiffs' objections are not well taken.

After a de novo review, the Court determines the Findings and Recommendation of Magistrate Judge Anderson are well grounded in law and fact and HEREBY ORDERS they be adopted in their entirety.

Accordingly, **IT IS HEREBY ORDERED** that Defendants' Motion to Dismiss [*doc. #15*] is GRANTED.

The Clerk of Court shall notify the parties of the making of this Order.

DATED this 28th day of August, 2006.

/s/ Richard F. Cebull _____
RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE

cc:

Jonathan Bergman
Chris Mangen, Jr.
Lance Lovell
Christopher Birkle